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SUBJECT: IMPEACHMENT LEADS TO VIOLENCE AND CONFUSION IN
PLATEAU STATE

REF: A. 2004 ABUJA 00293
[1](#)B. 2005 ABUJA 02399
[1](#)C. ABUJA 01860

Classified By: Deputy Political Counselor Heather Merritt for reasons 1
.4 (b) and (d)

[1](#)1. (C) Summary: Efforts to impeach Governor Joshua Dariye in Plateau State have exacerbated long simmering intra-state political rivalries and led to violence. The battle to remove the divisive and corrupt Dariye has become a proxy battle about control over local politics, with an eye toward 2007. With the battle to impeach the governor near a climax, this episode in Plateau State also forms part of an emerging national trend in which governors who have opposed President Obasanjo are the targets of heavy-handed, and constitutionally questionable efforts to remove them from office.

THE LONG AND WINDING ROAD TO IMPEACHMENT IN PLATEAU STATE

[1](#)2. (U) Plateau State has had a long history of migration which brought together Nigerians from around the country to take advantage of educational and commercial opportunities. This pattern of migration, which brought Hausa from the North, Ibos from the southeast and Yorubas from the southwest to live with the dozens of indigenous minority groups has over time created a delicate balance in which political competition had to be carefully managed in order to avoid violence.

[1](#)3. (U) This careful balance was upset in 2001 when religious violence broke out over land tenure and the rights of indigenous settlers. Again in 2004 fighting pitted Christians against Muslims and led to the deaths of hundreds of people and the displacement of hundreds of thousands. President Obasanjo declared a state of emergency and temporarily removed Governor Dariye and the state legislature (ref A). The delicate equilibrium was also disturbed in 2003 when Governor Dariye, a member of the ruling People Democratic Party (PDP) was controversially declared the winner in his bid to stay in office. Many people in Plateau believed his opponent won the election, thereby polarizing the population along ethnic lines. In addition a rivalry with Deputy Senate President Ibrahim Mantu, a strong supporter of President Obasanjo, has helped exacerbate tensions along religious lines in the state.

[1](#)4. (U) Despite these rivalries, Gov. Dariye was able to build the support of his 24 member state legislature, primarily by paying their salaries when the body was suspended, according to human rights activists who spoke with Poloff. This support would pay dividends when Dariye ran into trouble later in 2004 after he was arrested in London for money laundering (ref B). After jumping bail, Dariye returned to his post as governor and found support among the state's

legislators.

¶5. (U) After Dariye's return to Plateau state, the Economic and Financial Crimes Commission (EFCC) opened an investigation into allegations of corruption by the governor. The EFCC alleged that in addition to jumping bail for money laundering, he diverted 10 million USD and failed to disclose his assets as required by law. Efforts to charge him were over-ruled by the High Court, which ruled that governors have immunity from prosecution while in office.

¶6. (U) Efforts to get the state legislature to impeach Dariye based on the EFCC investigation were unsuccessful. Dariye himself claimed in the media that the money he was alleged to have diverted was moved at the request of President Obasanjo, who wanted the money for the PDP coffers for the 2003 election. A state assembly panel which investigated the charges exonerated Dariye and the impeachment effort seemed dead.

¶7. (U) Tension in the state was exacerbated when one of Governor Dariye's rivals, Deputy Senate President Mantu, took the lead at the National Assembly in efforts to secure the president a third term. The third term bid was very unpopular in Plateau State and eventually led to 16 members of the state assembly forming a rival faction of the PDP and threatening to transfer their allegiance to a newly formed opposition party. This was later to form the basis of the legal argument in the renewed efforts to impeach the governor.

CORRUPTION, SELECTIVITY, AND THE RULE OF LAW

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¶8. (C) The EFCC has taken the lead in organizing the impeachment efforts in Plateau State as it did in Oyo, Bayelsa and Ekiti states. Its agents have conducted the investigation and compiled the report on which the impeachment charges are based. According to press reports, the EFCC has put state assembly members under pressure to act by also developing cases against them. In Plateau State this strategy was supplemented by a creative interpretation of the law, first offered by the EFCC, according to which eight members of the state assembly could initiate impeachment proceedings, even without the participation of the remaining 18 members.

¶9. (U) The eight members in the Presidential faction of the PDP were brought to the State Assembly in an EFCC van in the first week in October 2006 according to televised reports. The EFCC appeared to be stage managing the process, and also made the initial argument that the remaining 16 seats were "vacant" because the members had defected to another political party. In order to reach the two thirds majority necessary for impeachment, the argument was made that only six out of the eight State Assembly members still in the PDP needed to vote for the measure.

¶10. (U) The Independent National Electoral Commission (INEC) subsequently ruled that the seats of members who changed parties were vacant, despite a restraining order placed on INEC by the Federal High Court to hold off on making a judgment until it ruled. The court case is still pending, thereby calling into question the legality of INEC's pronouncement

¶11. (C) While this drama was unfolding, Governor Dariye was approached by representatives of President Obasanjo who offered a deal: that he give up all the money in his various bank accounts and that he resign. This account was provided to Poloff by Dariye's media spokesman, who said that Dariye refused the deal. Consequently, the proceedings at the State Assembly, spearheaded by the EFCC and with the cooperation of six of the eight remaining members, continued.

POLITICAL DIVISIONS, QUESTIONABLE TACTICS LEAD TO VIOLENCE

¶12. (U) As the proceedings moved into high gear during the second week of October 2006, tension mounted. Legal claims still pending in the court and a claim by the speaker of the state house that the process is flawed due to his absence have further exacerbated the situation.

¶13. (U) The tensions escalated into violence last week when a group of people opposed to the impeachment rallied outside the state assembly in an effort to prevent the members from meeting on impeachment. Police under the command of the Commissioner of Police fired into the crowd killing two people, according to press reports.

¶14. (C) Contacts in Plateau report a heavy military, police and security presence in the state, with soldiers under the command of the 3rd Armored Division of the Nigerian Army patrolling the streets. The announcement of the impeachment of the governor of Ekiti State and the announcement of moves to impeach the governor of Anambra State have also helped raise tensions in Plateau, and no one believes the current standoff will be the final word.

¶15. (C) Comment: The impeachment of Governor Dariye in Plateau State is part of a troubling trend in which governors, many of whom are corrupt, are being singled out for impeachment. The selective nature of the charges detracts from the legitimate anti-corruption efforts of the EFCC and creates the appearance that only enemies of the president will be targeted for impeachment, as some of the most spectacularly corrupt governors are not being targeted.

¶16. (C) Comment continued: Additionally, the heavy-handed and quite possibly illegal methods employed to impeach the governor of Plateau State and others, most notably the Ekiti State governor, have recently drawn critical commentary from the Chief Justice of the Supreme Court, the Attorney General, and the President of the Nigerian Bar Association. Although it is unclear whether the President is selectively fighting corruption, acting out a vendetta against those who opposed his bid for a third term, or making strategic moves in preparation for 2007, the resulting confusion and violence detracts from the GON's ability to create an environment conducive to credible elections.

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